



City of Nashua
Planning Department
229 Main Street
Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
WEB www.nashuanh.gov

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VARIANCE APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL NOT BE ACCEPTED

This application must be completed and submitted to the Planning Department no later than the dates listed on the Zoning Board of Adjustment (ZBA) schedule sheet. Please print clearly or type.

I. VARIANCE INFORMATION

1. ADDRESS OF REQUEST 4 Hopkins Street

Zoning District RB

Sheet 0066

Lot 00022

2. VARIANCE(S) REQUESTED:

Requesting a variance from density (18,666 -sqft required where 11,945 is provided) Converting from a single family with an in-law apartment to a 3 family home.

II. GENERAL INFORMATION

1. **APPLICANT / OPTIONEE** (List both individual name and corporate name if applicable)

(Print Name): Carole & Michael Poulin

Applicant's signature

Date

Applicant's address 4 Hopkins Street, Nashua, NH 03064

Telephone number H:

C: 603-305-5708

E-mail: capoulin1@comcast.net

2. **PROPERTY OWNER (Print Name):** Carole & Michael Poulin

*Owner's signature

Date

Owner's address 4 Hopkins Street, Nashua, NH 03064

Telephone number H:

C: 603-305-5708

E-mail: capoulin1@comcast.net

*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

OFFICE USE ONLY

Date Received

Date of hearing

Application checked for completeness: CF

A# 22-0006

Board Action

\$ application fee ☐

Date Paid

Receipt #

\$ signage fee ☐

Date Paid

Receipt #

\$ certified mailing fee ☐

Date Paid

Receipt #

Land Use Code Section(s) Requesting Variances From:

III. PURPOSE OF REQUEST

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. Attach additional sheets if necessary. See "Procedures for Filing a Variance" for further information.

1. Granting of the requested variance will not be contrary to the public interest, because: (The proposed use must not conflict with the explicit or implicit purpose of the ordinance, and it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

We are not adding additional GLA to the property. We are working within the existing structure of the home. Driveway and parking will not change. Grounds will be remain the same. From the outside all will be status quo.

2. The proposed use will observe the spirit of the ordinance, because: (The proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

No additional required - driveway holds at least 6 cars - no on street parking would be required.

See attached letter

Cap

3. Substantial justice would be done to the property-owner by granting the variance, because: (The benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

Currently we have an in-law apartment for our adult son with Autism. We are aging and the main floor in the home is too much for us to care for. We would like for our son to be able to age in place as well. We would like for this home to be his forever home. We moved back to Nashua so that our son could be more independent and have access to community transportation. Adding an additional apartment will allow us the opportunity to rent the 3rd unit out to a potential care giver to provide oversight to our son when we are no longer able to.

4. The proposed use will not diminish the values of surrounding properties, because: (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

We have maintained our home in a way that is pleasing to the neighborhood. We have replaced fencing, prune and care for all aspects of the yard. This will not change, nor will the outside appearance of the home. Our son does not drive, therefore the additional car or two in the drive should be a non-issue. With the size of our driveway there is never a need to park in the street.

5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship,** because: (The applicant must establish that because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.)

We have tried to see if it would be more beneficial to find a property in Nashua that would meet our needs and the needs of our son. We originally chose North End do to walking distance to parks, store, community transportation and most importantly safety. We have put down routes in our home and our community. My son works in Nashua, he is seen frequently walking Concord Street, and knows all the bus routes. We have not been able to find another home that meets this criteria in Nashua in a neighborhood that is safe for him and people know him.

IV. USE VARIANCE ADDITIONAL INFORMATION

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

- a. Total number of employees Number of employees per shift
 b. Hours and days of operation
 c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors
 d. Number of daily and weekly commercial deliveries to the premises
 e. Number of parking spaces available
 f. Describe your general business operations:

This is not a business

- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation:

none, changes will be internal with in the home.

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction. I understand that only those points specifically mentioned are affected by action taken on this appeal.

Michael Paulin
Signature of Applicant

1/6/2022
Date

Michael H. Paulin
Print Name Carole Poulin

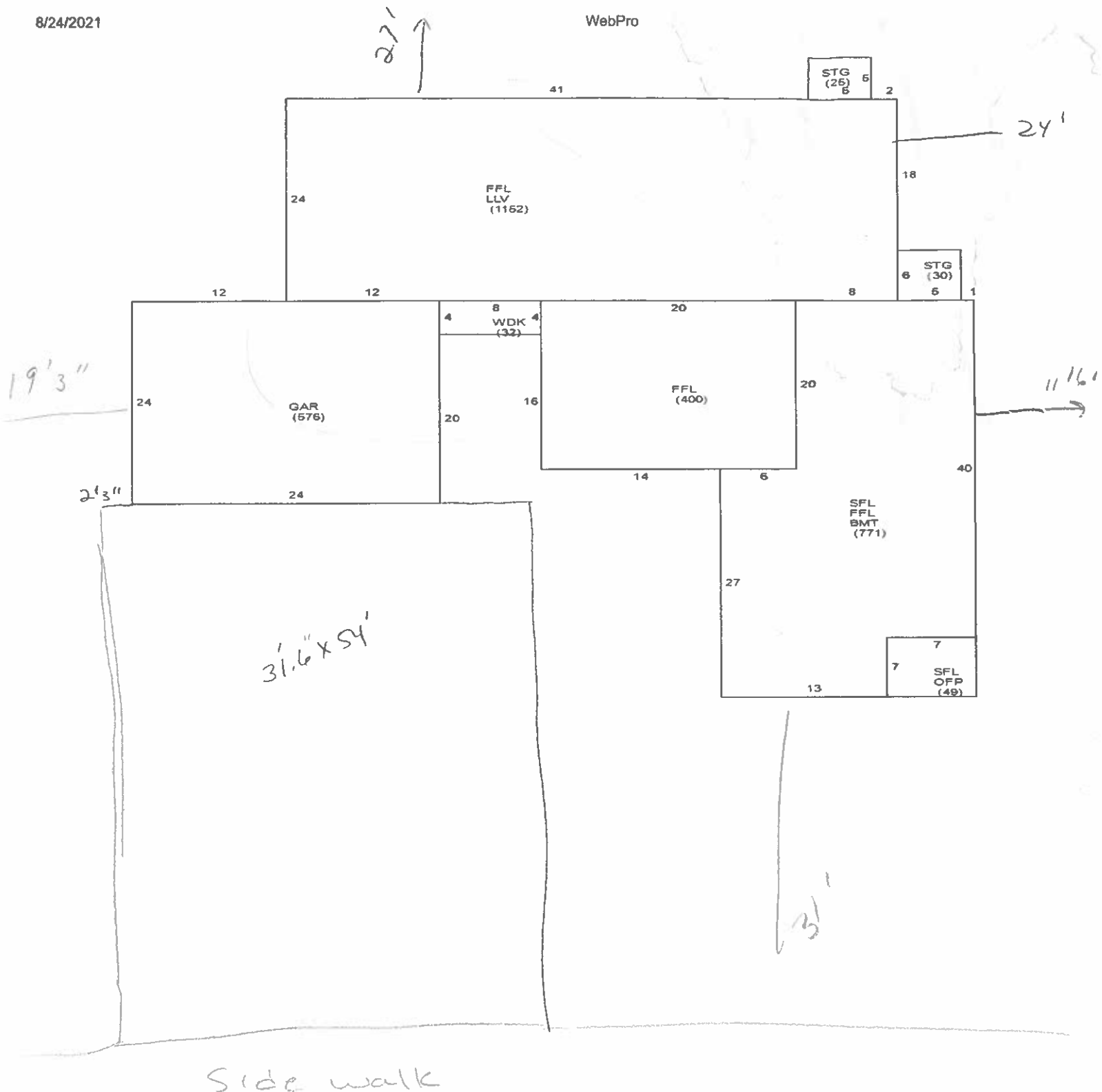
1/6/2022
Date

The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

☐ I will pick it up at City Hall

☒ Please email it to me at capoulin1@comcast.net

☐ Please mail it to me at



Michael & Carole Poulin
4 Hopkins Street
Nashua, NH 03064

January 6, 2022

City of Nashua
Planning Department
229 Main Street
Nashua, NH 03061-2019

Dear Planning Board,

I am writing to request a variance so that our family can remain intact and in our home. More importantly so this home can be Brandon's forever home. Our story begins almost 32 years ago, when our son Brandon was born. It took years to finally get a diagnosis of Autism. We spent countless years advocating for an independent live for our son. While we are fortunate that Brandon is on the high functioning side of Autism, as he able to work with supports, cook, shop, read and has an amazing memory. He is extremely vulnerable and is at risk of being exploited. He has lived on his own, at Pine Hill Gardens and Cotton Mill. While living at Pine Hill Gardens he was harassed by a group of Teenagers. And while living at Cotton Mill, we were notified by a concerned neighbor that a few tenants in the building were being mean to Brandon. Also people were smoking under his window and at times his apartment would smell of marijuana. Brandon lacks a social filter so he will say what he is thinking and if you don't know you would think he was being rude. With the wrong situation we were fearful for his safety. Brandon is a very kind loving person and would not hurt anyone, therefore he assumes no one would hurt him.

After a great deal of thought we decided to sell our home of 30 years in Merrimack and move to Nashua. Mike and I are both originally from Nashua. Brandon will not be able to drive, therefore public transportation was very important to us. We moved here with the intention of making this Brandon's forever home. We spoke with the planning department before we purchased the home on Hopkins Street to be sure we would be able to convert the existing illegal in-law apartment to a legal in-law. We had always intended to later split the first floor into 2 units, as the first floor is way too much house for Mike and I as we age. Also, Brandon tends to trip and fall due to balance issues so the plan was to at some point move him to the first floor when he got older.

After almost 7 years of living here we have found that Brandon will always needs some sort of oversight. He is not able to manage money, needs support on the job and although we had thought he may drive someday, that is not ever going to be the case.

Honestly, we have spent the last 32 years caring for our son. I am not complaining, we love Brandon and are always concerned for his well-being and safety. We are exhausted and we would really like to travel a bit. While we bring Brandon on many trips with us, Mike and I do need time be a couple and experience what other couples are doing as they approach retirement. Also, as we age are biggest

concerns is who will watch over our boy when we are no longer able to. With that in mind we have come up with a plan to split the first floor into two living spaces. One for Brandon and the other for Mike and I. The upstairs in-law apartment would become a space for a live in caretaker. Someone who could provide the oversight that Brandon will need when we are not able to.

So that's it. The outside of the home will be maintained as it always has been. There will be no additional GLA added. The foot print on the outside will be untouched.

Thank you for your consideration and reading our story. There are many families like ours, we go to bed every night thinking about what will happen to our child when we are no longer here. We have a plan for Brandon and want to set this all up while we are still here to ensure his financial future, health and happiness.

Sincerely,

Handwritten signatures of Mike and Carole Poulin. The signature for Mike is on the left, and the signature for Carole is on the right.

Mike and Carole Poulin

[illegible]

NASHUA
NEW HAMPSHIRE
GIS

EXPANDED DRAFT MEETING SUMMARY
THIS IS NOT AN OFFICIAL TRANSCRIPT OF TAPE RECORDED PROCEEDINGS
THE INFORMATION CONTAINED HEREIN HAS NOT BEEN REVIEWED OR APPROVED BY THE ZBA

ZONING BOARD OF ADJUSTMENT PUBLIC HEARING AND MEETING
April 28, 2015

A public hearing of the Zoning Board of Adjustment was held on Tuesday, April 28, 2015 at 6:30 PM in Room 208, City Hall.

Rick Johnson, Chair, conducted the meeting.

Members present were:

Rob Shaw
Gerry Reppucci
J.P. Boucher
Rick Johnson
Kathy Vitale

Carter Falk, AICP, Deputy Planning Manager/Zoning

Mr. Johnson explained the Board's procedures, including the points of law required for applicants to address relative to variances and special exceptions. Mr. Johnson explained how testimony will be given by applicants, those speaking in favor or in opposition to each request, as stated in the Zoning Board of Adjustment (ZBA) By-laws. Mr. Johnson also explained procedures involving the timing light.

1. C. Thomas & Susan G. Brooks (Owners) Carole & Michael Poulin (Applicants) 4 Hopkins Street (Sheet 66 Lot 22) requesting the following: 1) special exception to maintain an accessory (in-law) dwelling unit; and, 2) variance to exceed maximum area of accessory dwelling unit, 700 sq.ft allowed - 820 sq.ft existing/proposed. RB Zone, Ward 3.

Voting on this case:

Rick Johnson
Rob Shaw
Gerry Reppucci
Kathy Vitale
J.P. Boucher

Carole Poulin, 4 Hopkins Street, Nashua, NH. Mrs. Poulin said that they just recently closed on the property. She said that the home has an in-law apartment, and didn't realize that it is an illegal unit, so that is why they're applying. She said that there are no changes expected to the outside of the home, or the

inside. She said the unit upstairs is finished, and it's a really nice apartment.

Mrs. Poulin said that her 25-year old disabled son will live there, and she said that they will be able to help support him. She said he does not drive, so there will be no additional traffic. She said that there will only be three people living in the home, and there will be no additional demand on utilities. She said the variance is necessary because the apartment is 820 square feet, which is over the 700 square foot total; however, it is under the 30% total of the home. She said the application is pretty straight-forward.

SPEAKING IN FAVOR:

No one.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

MOTION by Mr. Reppucci to approve the variance request on behalf of the owner as advertised. Mr. Reppucci stated that the variance is needed to enable the applicant's proposed use of the property, given the special conditions of the property; the benefit sought by the applicant cannot be achieved by some other method reasonably feasible for the applicant to pursue, other than an area variance.

Mr. Reppucci said that the request is within the spirit and intent of the ordinance. He said that it will not adversely affect the property values of surrounding parcels; it is not contrary to the public interest. He said that substantial justice is served.

SECONDED by Mr. Shaw.

MOTION CARRIED UNANIMOUSLY 5-0.

MOTION by Mr. Reppucci to grant the special exception request on behalf of the owner, as advertised. Mr. Reppucci stated that the use is listed in the Table of Uses, Section 190-32. He said that the use will not create any undue traffic congestion, or unduly impair pedestrian safety.

Mr. Reppucci stated that the use will not overload any public water, drainage, sewer or other municipal systems. He said that all the special regulations are fulfilled.

Mr. Reppucci said that the use will not impair the integrity or be out of character with the neighborhood, or be detrimental to the health, morals or welfare of the residents.

SECONDED by Mr. Shaw.

MOTION CARRIED UNANIMOUSLY 5-0.

2. **SAAJ, LLC (Owner) Barlo Signs (Applicant) 322 Amherst Street (Sheet G Lot 438) requesting the following variances: 1) to exceed maximum projecting sign area, 24 sq.ft allowed - 39 sq.ft proposed; and, 2) to exceed maximum projection, 5 feet allowed, 6' - 3" proposed. GB Zone, Ward 1.**

Voting on this case:

Rick Johnson
Rob Shaw
Gerry Reppucci
Kathy Vitale
J.P. Boucher - RECUSED

Tim Sullivan, Barlo Signs, Hudson, NH. Mr. Sullivan said that they are seeking two variances, the first one is to allow a projecting sign to exceed 24 square feet in area, where 39 square feet is being proposed, and the second variance is for the maximum projection of 5 feet is allowed, where 6'-3" is proposed.

Mr. Sullivan said that there is an existing projecting sign on the building, as shown in the photos. He said it's a 26 square foot projecting sign, and it projects 8 feet from the building, so, this proposal will have the sign closer in to the 5 foot allowed, but it's still over the 5 foot requirement.

Mr. Sullivan said that the building is wedged in between the Nashua Outdoor Power Equipment building and the carpet store, its tucked into that corner, and the building is fairly close to Amherst Street, so there is no room to place a ground sign between the building and the road. He said a wall sign that is

Poirier, Kate

From: Philip Roizin <proizin@yahoo.com>
Sent: Wednesday, January 26, 2022 8:07 PM
To: CD- Planning Dept
Subject: Poulin Family Trust 4 Hopkins St vase #3

Categories: Correspondence

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

My name is Philip Roizin I live at 6 Hopkins St directly beside 4 Hopkins. I am opposed to the proposal for the following reasons

The lot currently has very little yard and If the house were expanded there would be even less open space and the building would be even closer to me that it is now which would invade my privacy and devalue my property.

There is only one other multi family on the street which is in a constant state of disrepair and I fear this would reoccur changing the character of the street and depressing property values

The cars associated with a three family would have to park on the street causing a lack of visitor parking.

Sent from my iPhone